

TWENTY-FOURTH DAY
(Monday, February 22, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Huddleston
Adkins	Hyder
Alexander	Jackson
Alsup	James
Amos	Johnson of Ellis
Baker	Johnson
Beckworth	of Tarrant
Bell	Jones of Angelina
Blankenship	Jones of Falls
Boethel	Jones of Wise
Bond	Keefe
Boyer	Keith
Bradbury	Kelt
Bridgers	Kenyon
Brown	King
Burton	Knetsch
Cagle	Langdon
Callan	Lankford
Carssow	Lanning
Cathey	Leath
Cauthorn	Leonard
Celaya	Leyendecker
Davis of Haskell	Little
Davis of Jasper	Loggins
Davison of Fisher	London
Davissou	Lucas
of Eastland	Mann
Dean	Mauritz
Deglandon	Mays
Derden	McConnell
Dickison	McCracken
Dollins	McDonald
England	McFarland
Farmer	McKee
Fielden	McKinney
Fox	Metcalf
Fuchs	Moffett
Gibson	Monkhouse
Graves	Morris
Hamilton	Morse
Hankamer	Nicholson
Hanna	Oliver
Harbin	Palmer
Hardin	Patterson of Mills
Harper	Patterson
Harrell	of Travis
Harris of Archer	Petsch
Harris of Dallas	Powell
Harris of Dickens	Prescott
Hartzog	Quinn
Heflin	Ragsdale
Herzik	Reader
Holland	Reed of Bowie
Hoskins	Reed of Dallas
Howard	Rhodes

Riddle	Talbert
Roark	Tarwater
Rutta	Tennant
Schuenemann	Tennyson
Settle	Thornberry
Shell	Thornton
Simpson	Vale
Skaggs	Waggoner
Smith of Hopkins	Walker
Smith	Weldon
of Matagorda	Westbrook
Smith of Tarrant	Winfree
Stinson	Wood
Stocks	Worley

Absent

Newton	Pope
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Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Broadfoot and Mr. Ross for today, on account of important State business, on motion of Mr. Carssow.

Mr. Russell for today, on motion of Mr. Riddle.

Mr. Felty for today, on motion of Mr. Hoskins.

Mr. Kern for today, on motion of Mr. Smith of Hopkins.

Mr. Sewell for today, on motion of Mr. Cathey.

Mr. Sharpe for today, on motion of Mr. Harrell.

Mr. Stevenson for today, on motion of Mr. Knetsch.

Mr. Bradford for today, on motion of Mr. Harrell.

The following Members were granted leaves of absence on account of illness:

Mr. Bates for today and the balance of the week, on motion of Mr. Jones of Angelina.

Mr. Hull for today, on motion of Mr. Johnson of Tarrant.

Mr. Jones of Atascosa for today, on motion of Mr. Herzik.

Mr. Cleveland for today, on motion of Mr. Cauthorn.

Mr. Colquitt for today, on motion of Mr. Boethel.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morse:

H. B. No. 629, A bill to be entitled "An Act declaring the islands in Galveston Bay, Known as Vingt'one Islands, as a wild-life sanctuary and prohibiting the molestation of any birds found on said islands; providing a penalty for violation of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Boyer:

H. B. No. 630, A bill to be entitled "An Act to require all political subdivisions, districts, or taxing units to join or intervene in any suit brought by the State or any county, city, town, or any district or political subdivision having a tax lien or claim against the property included in the suit, and providing that all tax liens or assessments against any particular property be adjudicated in one suit, and providing that the fees, costs and expenses of foreclosing the tax liens shall be prorated among the different political subdivisions holding liens on the property involved and that the proceeds from the sale of any property sold by virtue of or in pursuance to a tax judgment shall be prorated among the different political subdivisions according to their respective tax liens on said property, and providing that upon the failure of any political subdivision to intervene and file their claim for taxes that the County or District Attorney or other person bringing any tax suit shall represent all other political subdivisions holding tax liens against such property and shall file the necessary claims for all such political subdivisions; and providing that the failure to join all necessary political subdivisions shall be a defense to any such

tax suit, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Winfree, Mr. Morse, Mr. Mann, Mr. Howard and Mr. Heflin:

H. B. No. 631, A bill to be entitled "An Act to amend Section 6 of an Act passed by the Forty-fourth Legislature, Acts, 1935, First Called Session, page 1655, Chapter 425, Paragraph 1, which is entitled 'An Act empowering cities of 290,000 or more inhabitants to build and purchase, mortgage and encumber exposition and convention halls or either and the income thereof and to evidence the obligations therefor by bonds, notes or warrants and to secure the payment of funds to purchase same or to remodel, renovate or repair same'; . . . etc., and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Johnson of Tarrant and Mr. Amos:

H. B. No. 632, A bill to be entitled "An Act providing for the codifying and publishing of all city ordinances of every incorporated city, town and village and every city, town and village operating under a home rule charter; defining the term codifying; providing that such ordinances when codified shall be accessible to the public; providing for a penalty for failure to keep such ordinances accessible to the public; providing for the invalidating of all ordinances that are not codified; repealing all laws and parts of law in conflict herewith, and containing a saving clause."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Adkins, Mr. Powell and Mr. Petsch:

H. B. No. 633, A bill to be entitled "An Act amending Article 199 of the Revised Civil Statutes of 1925, as amended; relating to the allocation of District Courts to the various Counties of the State; apportioning said Courts to the various counties; abolishing certain District Courts; reorganizing and rearranging certain other District Courts; providing for the terms to be held therein; providing for the validation of processes, bonds and recognizance, etc., within such Districts; providing for certain duties of District

Judges and District Clerks; providing for concurrent jurisdiction in certain cases; providing for the transfer of cases and docketing thereof, and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Monkhouse:

H. B. No. 634, A bill to be entitled "An Act to amend Subdivision 38, of Article 19, Title 8, Revised Statutes of 1925, as amended by Act of the Forty-first Legislature at its Regular Session, page 125, Chapter 60, Sections 1, 2 and 3, and providing for changing and prescribing terms and times for holding the Courts in the Counties composing the 38th Judicial District of Texas; validating and continuing all processes and writs, bonds and recognizances, and making them returnable to the terms of Court in the several counties as herein fixed; to validate the summoning of grand and petit jurors under the present law so as to render them available under this Act; to repeal all laws and parts of laws in conflict herewith; and providing the time this Act shall take effect, and declaring an emergency."

Referred to the Committee on Judicial Districts.

By Mr. Petsch and Mr. Carssow:

H. B. No. 635, A bill to be entitled "An Act defining a Commercial Taxidermist, and providing a license for any person, firm or corporation operating as such; providing for disposition of moneys collected as license fees; permitting the sale of hides, antlers and hoofs of deer lawfully killed in this State to Commercial Taxidermists; providing for the keeping of records by licensed taxidermists; repealing all laws in conflict with this Act; providing a suitable penalty for violation of any provision of this Act; declaring an emergency and the effective date of this Act."

Referred to the Committee on Game and Fisheries.

By Mr. Harris of Dallas:

H. B. No. 636, A bill to be entitled "An Act amending Subsection 8 of Section 4 of Article III, of Chapter 495, Acts of the Forty-fourth Legislature, Third Called Session, so as to provide that the tax levied herein shall not apply to coin-operated machines of whatever kind or character that has

been judicially declared illegal, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Fuchs, Mr. Broadfoot, Mr. Harris of Archer, Mr. Patterson of Travis and Mr. Walker:

H. B. No. 637, A bill to be entitled "An Act to make the laws of Texas relating to the National Guard compatible with the Constitution and laws of the United States as required by Section 46 of Article XVI of the Constitution of Texas, by amending the following Articles of the Civil Statutes of Texas as revised in the year 1925: Article 5780 so as to permit maintenance of all the troops allocated to Texas under Federal Law, Article 5839 so as to make nomenclature conform to Federal Law, and Article 5858 so as to make offenses condemned by military law and courts-martial procedure conform to that of Federal Law and regulations; to repeal any and all laws in conflict herewith."

Referred to the Committee on Military Affairs.

By Mr. Westbrook:

H. B. No. 638, A bill to be entitled "An Act authorizing the Commissioners Court in certain counties to allow each county commissioner certain expenses for traveling; providing a fund from which such expenses shall be allowed, each commissioner shall make under oath an itemized statement of such expenses, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Langdon:

H. B. No. 639, A bill to be entitled "An Act to amend Article 7258a of the Revised Statutes of Texas by extending the provisions of that Article to apply to every county in the State of Texas, and declaring an emergency."

Referred to the Committee on Revenue and Taxation.

By Mr. Dickison:

H. B. No. 640, A bill to be entitled "An Act amending Title 5, Revised Civil Statutes of Texas relating to aliens and their rights, limitations and exceptions in respect to the ownership, possession, control and management of lands in Texas; amending Article 167, Revised Civil Statutes of 1925, as re-

lates to the ownership of lots and parcels of land within incorporated cities and towns and to exceptions of certain aliens mentioned in said Title 5 and the several Articles of the Statutes thereunder; . . . etc., and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Brown:

H. B. No. 641, A bill to be entitled "An Act making appropriation of certain sums of money, or so much thereof as may be necessary, out of the General Revenue Fund to pay taxes due by the State to certain independent school districts, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Stevenson, Mr. Bradford, Mr. Cauthorn, Mr. Jackson, Mr. Bridgers, Mr. Monkhouse, Mr. Hankamer, Mr. Simpson and Mr. Reed of Dallas:

H. B. No. 642, A bill to be entitled "An Act dedicating and establishing the Big Bend National Park in Brewster County, Texas, and defining the area of said Park and creating a Board for the Acquisition of land within said area, and defining its powers and duties, and transferring certain lands belonging to the State Public School Fund to the State of Texas for park purposes, . . . etc., and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Mays and Mr. Reed of Bowie:

H. B. No. 643, A bill to be entitled "An Act providing a method for the extermination of gophers and salamanders in certain counties; providing for the appointment of supervisors for the carrying out of the campaign; providing a bounty to be paid for each such animal killed; making an appropriation; providing this Act shall be operative for four months only, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Winfree:

H. B. No. 644, A bill to be entitled "An Act defining and limiting jurisdiction of the courts in matters affecting employers and employees; declar-

ing the public policy of the State in such matters; declaring all contracts made in violation of such public policy to be unenforceable; enumerating specific acts not subject to restraining orders or injunctions even though said acts are participated in by persons or combinations of persons interested in labor disputes; . . . etc., and declaring an emergency."

Referred to the Committee on Labor.

By Mr. London:

H. B. No. 645, A bill to be entitled "An Act to better safeguard the health of the people of the State of Texas by making it unlawful to serve food in improperly cleaned or unsterilized dishes or utensils; and providing rules for cleaning and sterilizing dishes or utensils; and prohibiting the use of cracked or broken dishes and utensils and unlaundered napkins and unprotected napkins, straws and other articles commonly used in eating and drinking; . . . etc., and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. London:

H. B. No. 646, A bill to be entitled "An Act providing that persons, firms or corporations, who operate or conduct hotels, cafes, restaurants, dining cars or other public eating places, bakeries and meat markets in this State shall not work, employ or keep in their employ any person who is infected with or affected by any infectious or contagious disease; . . . etc., and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Davis of Haskell:

H. B. No. 647, A bill to be entitled "An Act granting permission to Mrs. Cora Mills, Mrs. Elzine Kinsey and husband, Loyd Kinsey, and Mrs. Marie Fouts and husband, Aubrey Fouts, to bring suit against the State of Texas and/or Highway Department of the State of Texas, in a court of competent jurisdiction for damages for personal injuries received by Ed Mills, which said injuries are alleged to have resulted in his death, and which said injuries were received by the said Ed Mills while on duty in the employ of the State Highway Department of the State of Texas; providing that any judgment recovered be paid out of the

funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Davis of Haskell:

H. B. No. 648, A bill to be entitled "An Act granting permission to W. M. Rosseau to bring suit against the State of Texas, and/or Highway Department, in a court of competent jurisdiction, for damages for personal injuries received by him while on duty in the employ of the Highway Department of the State of Texas, and which injuries are alleged to have produced damages to the said W. M. Rosseau, providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provisions of this Act shall be invalid, the validity of the other provisions thereof shall not be affected, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Beckworth:

H. B. No. 649, A bill to be entitled "An Act making an appropriation out of the General Revenue Fund of the State of Texas, for the State Colored Orphans' Home at Gilmer, Texas, for certain purposes for the balance of the fiscal year ending August 31, 1937, and reappropriating any unexpended balance of said fund so appropriated, to be expended during the fiscal year ending August 31, 1938, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Beckworth:

H. B. No. 650, A bill to be entitled "An Act validating and approving all acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds; validating such bonds and the tax levies made for the payment of such bonds; providing the provisions hereof shall not apply to any such proceedings or obligations the validity of which has been contested in any pending suit or litigation, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Beckworth:

H. B. No. 651, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of Texas, 1925, as amended by Section 2 of Chapter 262, Acts, Regular Session of the Forty-second Legislature, 1931, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Leonard:

H. B. No. 652, A bill to be entitled "An Act to provide that Water Control and Improvement Districts, or Water Improvement Districts, may rent or lease lands of non-resident owners or unknown owners of lands within such districts and apply the rentals to the payment of any delinquent flat rate water assessment due such district on such lands for two (2) years or more, where the said land is lying idle and not cultivated for the preceding two (2) years period, and pay the excess, if any, into the County Treasury, subject to the order of such non-resident or unknown owner, and declaring an emergency."

Referred to the Committee on Conservation and Reclamation.

By Mr. Leonard:

H. B. No. 653, A bill to be entitled "An Act making it the duty of the Commissioner of Agriculture of the State of Texas to control and/or eradicate the Mexican fruit fly in the State of Texas; providing a title for said Act; defining certain terms as used herein; providing a host-free period, and authorizing the Commissioner of Agriculture of the State of Texas to adopt the host-free period promulgated by the United States Department of Agriculture; . . . etc., and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Leonard:

H. B. No. 654, A bill to be entitled "An Act providing for and authorizing 'Marketing Agreements' with respect to citrus fruits or citrus fruit; authorizing the Commissioner of Agriculture of the State of Texas to enter into 'Marketing Agreements' with producers, shippers and/or handlers thereof in interstate commerce; setting forth the imperative necessity therefor; . . . etc., and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Herzik:

H. B. No. 655, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; repealing all laws and parts of laws, General or Special, in conflict therewith, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Hanna, Mr. Smith of Tarrant, Mr. Jones of Atascosa, Mr. McCracken, Mr. Kelt, Mr. Harris of Dickens, Mr. Callan, Mr. Deglandon, Mr. Sharpe, Mr. Walker, Mr. Cathey, Mr. Dean, Mr. Cauthorn, Mr. Sewell, Mr. Simpson, Mr. Rutta, Mr. Hankamer, Mr. Jackson, Mr. Johnson of Tarrant, Mr. Shell, Mr. Hardin, Mr. Reed of Dallas, Mr. Reed of Bowie, Mr. Boyer, Mr. Wood, Mr. Leath, Mr. Fielden, Mr. Bridgers, Mr. Amos, Mr. Harper, Mr. Quinn, Mr. Powell, Mr. Derden, Mr. Harris of Dallas, Mr. Langdon, Mr. Farmer, Mr. King, Mr. Little, Mr. Smith of Matagorda, Mr. Schuenemann, Mr. Colquitt and Mr. Johnson of Ellis:

H. B. No. 656, A bill to be entitled "An Act defining the term 'saloon', and prohibiting the operation of an open saloon, and providing a penalty for its violation; regulating the traffic in alcoholic liquors in this State, and prescribing penalties for the violation of offenses defined in connection therewith; placing the duty of enforcement of the Act on the State Comptroller of Public Accounts; providing for legal assistance in the enforcement of this Act; prescribing his duties of investigating this and other departments of State Government with power to administer the provisions of this Act; . . . etc., and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Jones of Falls, Mr. Hartzog, Mr. Hoskins and Mr. Smith of Matagorda:

H. B. No. 657, A bill to be entitled "An Act requiring the development or operation of any oil or gas well from islands, marshes or waters to be done in such a way as to prevent injury or destruction to fish, oysters or shrimp;

provided that hereafter no such well shall be developed or operated in the salt waters or salt water marshes unless same is enclosed by a concrete wall; providing the Game, Fish and Oyster Commission make rules and regulations for development of oil and gas well in areas mentioned in this Act; providing a penalty for violations of this Act and regulations of the Game, Fish and Oyster Commission; providing that if any portion of this Act shall be held unconstitutional that the remainder of the law shall remain in full force and effect, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Lucas and Mr. Weldon:

H. B. No. 658, A bill to be entitled "An Act authorizing any school district in Texas to obtain a refund of motor fuel taxes paid by it in operating exclusively owned motor vehicles, trailers and semi-trailers over the highways of this State in the exclusive service of such school district, as provided in Section 12, Chapter 240, page 558, Acts, Regular Session of the Forty-fourth Legislature, 1935, and making said Act applicable hereto, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House Joint Resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Metcalfe:

H. J. R. No. 36, Proposing to amend Article V of the Constitution of the State of Texas, by repealing Sections 1, 2, 3, 4, 5 and 6, the same being the Sections creating and organizing the Supreme Court, the Court of Criminal Appeals and the Courts of Civil Appeals of this State, and adopting new sections in lieu thereof, reorganizing the Supreme Court, and the Court of Criminal Appeals; and abolishing the Courts of Civil Appeals; and changing other Section numbers of Article V of the Constitution of Texas to conform therewith.

Referred to the Committee on Constitutional Amendments.

MOTION TO RECOMMIT HOUSE BILL NO. 253

Mr. Patterson of Travis moved that House Bill No. 253 be recommitted to the Committee on Judiciary.

Question recurring on the motion to recommit House Bill No. 253, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—41

Beckworth	Johnson of Ellis
Bell	Jones of Wise
Bradbury	King
Cagle	Lanning
Carssow	Lucas
Cathey	Mays
Cauthorn	McFarland
Davis of Haskell	McKinney
Davis of Jasper	Moffett
Dean	Patterson
Derden	of Travis
Dickison	Quinn
England	Rhodes
Fox	Rutta
Graves	Settle
Hamilton	Stocks
Harbin	Talbert
Heflin	Thornberry
Herzik	Walker
Hyder	Weldon
James	Westbrook

Nays—72

Alsup	Huddleston
Amos	Jackson
Baker	Johnson
Blankenship	of Tarrant
Boethel	Jones of Angelina
Bond	Jones of Falls
Boyer	Keefe
Bridgers	Keith
Burton	Kelt
Callan	Knetsch
Davison of Fisher	Langdon
Davisson	Lankford
of Eastland	Leath
Deglandon	Leonard
Dollins	Leyendecker
Farmer	Little
Fielden	London
Gibson	Mann
Hankamer	McConnell
Hanna	McDonald
Hardin	McKee
Harper	Metcalfe
Harris of Archer	Monkhouse
Harris of Dallas	Morris
Harris of Dickens	Morse
Hartzog	Palmer
Holland	Patterson of Mills
Hoskins	Powell

Prescott	Smith of Tarrant
Reed of Bowie	Stinson
Reed of Dallas	Tarwater
Roark	Tennyson
Schuenemann	Thornton
Simpson	Vale
Skaggs	Waggoner
Smith of Hopkins	Wood
Smith	Worley
of Matagorda	

Absent

Adkins	Newton
Alexander	Nicholson
Brown	Oliver
Celaya	Petsch
Fuchs	Pope
Harrell	Ragsdale
Howard	Reader
Kenyon	Riddle
Loggins	Shell
Mauritz	Tennant
McCracken	Winfree

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

BILL RE-REFERRED

Mr. Jones of Wise moved that House Bill No. 534 be withdrawn from the Committee on Revenue and Taxation, and referred to the Committee on Banks and Banking.

The motion prevailed.

ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Dean, House Bill No. 630.

Mr. Ragsdale, House Bill No. 557.

Mr. Stinson, House Bill No. 472.

EXTENDING SYMPATHY TO HONORABLE HAROLD BATES

Mr. Jones of Angelina offered the following resolution:

Whereas, Our fellow Member, Harold Bates, is in Seton Infirmary suffering from an emergency appendectomy and will be absent for several days and unable to attend the sessions of the House; and

Whereas, We deeply regret his illness and inability to be present; now, therefore, be it

Resolved by the House of Representatives, That we extend our sincere wish for his speedy recovery; and, be it further

Resolved, That the Chief Clerk of the House of Representatives be instructed to send suitable flowers to our colleague together with a copy of this resolution.

The resolution was read second time.

Signed—Calvert, Speaker; Adkins, Alexander, Alsup, Amos, Baker, Beckworth, Bell, Blankenship, Boethel, Bond, Boyer, Bradbury, Bradford, Bridgers, Broadfoot, Brown, Burton, Cagle, Callan, Carssow, Cathey, Cauthorn, Celaya, Cleveland, Colquitt, Davis of Haskell, Davis of Jasper, Davison of Fisher, Davisson of Eastland, Dean, Deglandon, Derden, Dickson, Dollins, England, Farmer, Felty, Fielden, Fox, Fuchs, Gibson, Graves, Hamilton, Hankamer, Hanna, Harbin, Hardin, Harper, Harrell, Harris of Archer, Harris of Dallas, Harris of Dickens, Hartzog, Heflin, Herzik, Holland, Hoskins, Howard, Huddleston, Hull, Hyder, Jackson, James, Johnson of Ellis, Johnson of Tarrant, Jones of Atascosa, Jones of Falls, Jones of Wise, Keefe, Keith, Kelt, Kenyon, Kern, King, Knetsch, Langdon, Lankford, Lanning, Leath, Leonard, Leyendecker, Little, Loggins, London, Lucas, Mann, Mauritz, Mays, McConnell, McCracken, McDonald, McFarland, McKee, McKinney, Metcalfe, Moffett, Monkhouse, Morris, Morse, Newton, Nicholson, Oliver, Palmer, Patterson of Mills, Patterson of Travis, Petsch, Pope, Powell, Prescott, Quinn, Ragsdale, Reader, Reed of Bowie, Reed of Dallas, Rhodes, Riddle, Roark, Ross, Russell, Rutta, Schuenemann, Settle, Sewell, Sharpe, Shell, Simpson, Skaggs, Smith of Hopkins, Smith of Matagorda, Smith of Tarrant, Stevenson, Stinson, Stocks, Talbert, Tawater, Tennant, Tennyson, Thornberry, Thornton, Vale, Waggoner, Walker, Weldon, Westbrook, Winfree, Wood and Worley.

On motion of Mr. Beckworth, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

TO DECLARE POLICY OF HOUSE IN REGARD TO OLD AGE ASSISTANCE

Mr. Hardin offered the following resolution:

Whereas, This House on February 2, 1937, by the adoption of House Resolution No. 78, placed itself on record as declaring "that the most important immediate revenue problem confronting this Legislature is that of raising sufficient money to provide assistance for the aged people of this State on the liberal scale advocated by a majority of the successful candidates for executive and legislative positions in the campaigns of last year"; and

Whereas, The House further went on record, in the aforesaid resolution, in favor of giving early consideration to liberalization of the existing Old Age Assistance Act and taxes to support such liberalization, declaring among other things that the first twelve million dollars annually of revenue to be raised by new taxes approved by the House should be allocated to old age assistance in addition to the eight million dollars provided annually at the Third Called Session of the Forty-fourth Legislature; and

Whereas, The said resolution was passed in good faith and intended to express the sense of the House and to declare its policy in regard to one of the most important duties that has ever confronted any Legislature, namely that of relieving the distress of thousands of aged citizens of this State in compliance with solemn pledges made by a majority of the Members of the Legislature in their campaigns for election; and

Whereas, Up to this time other matters have delayed action upon liberalization of the Old Age Assistance Act and provision of additional revenue to support such liberalization; and

Whereas, The Governor of the State has made known his opposition to liberalization of the present Old Age Assistance Act, going so far as to say that he would veto a liberalizing measure, if one should be passed; and

Whereas, The apparently hostile attitude of the Governor toward any attempt to liberalize the present Old Age Assistance Act has been reflected in the conduct and the utterances of his followers in the Legislature and in accounts of legislative activities in the press of Texas; and

Whereas, Some tactical advantages scored by followers of the Governor and other opponents of liberalization of old age assistance have been more or less widely interpreted as evidences that this House may not adhere to its duly adopted declaration of policy in regard to old age assistance; and

Whereas, It is highly desirable, both for the sake of the public interest and as evidence of the good faith of the House in making the aforesaid declaration of policy, that the determination of the House to redeem its pledges to the aged people of this State be made entirely clear; now, therefore, be it

Resolved by the House of Representatives of the Forty-fifth Legislature of Texas, That the aforesaid declaration of policy be, and it is hereby reaffirmed in all particulars; that it is the intent and purpose of the House to adopt as speedily as may be possible under the present Rules of the House, a genuinely liberal Old Age Assistance Act, and that until such a measure is adopted by both Houses of the present Legislature and signed by the Governor, this House will decline to pass any measure providing revenue for purposes other than old age assistance.

HARDIN,
CATHEY.

The resolution was read second time.

On motion of Mr. Hardin, the resolution was referred to the Committee on State Affairs.

CONCERNING JOINT RULES OF HOUSE AND SENATE

Mr. Petsch offered the following resolution:

Whereas, No Joint Rules have been adopted to date for the Forty-fifth Legislature; and

Whereas, A workable set of Joint Rules are necessary to the effective functioning of the House and Senate in their joint relations; and

Whereas, The Temporary Joint Rules under which the two Houses have been operating recently need certain revision before they can be mutually agreed to for the Forty-fifth Legislature; therefore, be it

Resolved by the House, That the Senate Committee on Rules be requested to meet with the House Committee on Rules, for the purpose of preparing a suitable set of Joint Rules to be proposed for this Legislature.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 131 ON SECOND READING

The Speaker laid before the House (as a special order for this hour), on its second reading and passage to engrossment,

H. B. No. 131, A bill to be entitled "An Act amending Article 1119 of the Revised Civil Statutes of Texas of 1925, so as to make its provisions apply to all incorporated cities or towns incorporated under the General Laws of the State of Texas; providing that persons, companies or corporations engaged in the telephone business in incorporated cities and towns shall be included in the provisions of said Article; and to limit the earnings of persons, companies, or corporations coming within the provisions of said Article to an amount not exceeding a fair return upon the fair value of the property used and useful in rendering its service to the public, which return shall never exceed eight per cent (8%) per annum; repealing all laws and parts of laws in conflict herewith; providing if any part of the Act is declared unconstitutional, it shall not affect the validity of the remainder of the Act, and declaring an emergency."

The bill was read second time.

Mr. Farmer offered the following amendment to the bill:

Amend House Bill No. 131, by adding in line 30 of page 1 thereof, after the word "light" the word "power" and amend the caption to conform.

The amendment was adopted.

House Bill No. 131 was then passed to engrossment.

HOUSE BILL NO. 131 ON THIRD READING

Mr. Tennyson moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 131 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—115

Adkins	Bond
Alexander	Boyer
Alsup	Bradbury
Amos	Bridgers
Baker	Burton
Beckworth	Cagle
Bell	Callan
Boethel	Carssow

Cathey	Mauritz
Cauthorn	Mays
Celaya	McConnell
Davis of Haskell	McCracken
Davis of Jasper	McDonald
Davison of Fisher	McFarland
Davisson	McKee
of Eastland	Metcalfe
Deglandon	Moffett
Derden	Monkhouse
Dickison	Morris
Dollins	Morse
England	Oliver
Farmer	Palmer
Fielden	Patterson of Mills
Fox	Patterson
Gibson	of Travis
Graves	Petsch
Hamilton	Powell
Hankamer	Prescott
Hanna	Quinn
Hardin	Ragsdale
Harris of Archer	Reader
Harris of Dallas	Reed of Bowie
Harris of Dickens	Reed of Dallas
Hartzog	Rhodes
Herzik	Roark
Holland	Rutta
Howard	Schuenemann
Huddleston	Settle
Hyder	Shell
Jackson	Simpson
James	Skaggs
Johnson of Ellis	Smith of Hopkins
Johnson	Smith
of Tarrant	of Matagorda
Jones of Angelina	Smith of Tarrant
Jones of Falls	Stinson
Jones of Wise	Stocks
Keefe	Talbert
Keith	Tennant
Kenyon	Tennyson
King	Thornberry
Knetsch	Thornton
Langdon	Vale
Lankford	Walker
Lanning	Weldon
Leath	Westbrook
Leyendecker	Winfree
London	Wood
Lucas	Worley
Mann	

Present—Not Voting

Blankenship

Absent

Brown	Hoskins
Dean	Kelt
Fuchs	Leonard
Harbin	Little
Harper	Loggins
Harrell	McKinney
Heflin	Newton

Nicholson	Tarwater
Pope	Waggoner
Riddle	

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

The Speaker then laid House Bill No. 131 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Adkins	Heflin
Alexander	Herzik
Alsup	Holland
Amos	Hoskins
Baker	Howard
Beckworth	Huddleston
Bell	Hyder
Boethel	Jackson
Rond	James
Boyer	Johnson of Ellis
Bradbury	Johnson
Bridgers	of Tarrant
Burton	Jones of Angelina
Cagle	Jones of Falls
Callan	Jones of Wise
Carssow	Keefe
Cathey	Keith
Cauthorn	Kenyon
Celaya	King
Davis of Haskell	Knetsch
Davis of Jasper	Langdon
Davison of Fisher	Lankford
Davisson	Lanning
of Eastland	Leath
Deglandon	Leyendecker
Derden	Little
Dickison	Loggins
Dollins	London
England	Lucas
Farmer	Mann
Fielden	Mauritz
Fox	Mays
Gibson	McConnell
Graves	McCracken
Hamilton	McDonald
Hankamer	McFarland
Hanna	McKee
Harbin	Metcalfe
Hardin	Moffett
Harris of Archer	Monkhouse
Harris of Dallas	Morse
Harris of Dickens	Oliver
Hartzog	Palmer

Patterson of Mills	Smith of Hopkins
Patterson	Smith
of Travis	of Matagorda
Petsch	Smith of Tarrant
Powell	Stinson
Prescott	Stocks
Quinn	Talbert
Ragsdale	Tarwater
Reader	Tennant
Reed of Bowie	Tennyson
Reed of Dallas	Thornberry
Rhodes	Thornton
Roark	Vale
Rutta	Walker
Schuenemann	Weldon
Settle	Westbrook
Shell	Winfree
Simpson	Wood
Skaggs	Worley

Present—Not Voting

Blankenship

Absent

Brown	McKinney
Dean	Morris
Fuchs	Newton
Harper	Nicholson
Harrell	Pope
Kelt	Riddle
Leonard	Waggoner

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

SPECIAL ORDER SET

Mr. Tennant moved that House Bill No. 352 be set as a special order for 10:00 o'clock a. m., Tuesday, February 23.

The motion prevailed.

MOTION TO PLACE HOUSE JOINT RESOLUTION NO. 6 ON SECOND READING

Mr. Farmer moved that the regular order of business be suspended, at this time, to take up and have placed on its second reading and its passage to engrossment,

H. J. R. No. 6, Ratifying an amendment to the Constitution of America, passed by the Sixty-eighth Congress of the United States of America at its first session, which amendment empowers the Congress to

limit, regulate and prohibit the labor of persons under eighteen (18) years of age; and providing that certified copies of this joint resolution shall be forwarded to the President of the United States, and the Secretary of State of the United States, and the President of the United States Senate, and to the Speaker of the House of Representatives of the United States.

The motion was lost by the following vote:

Yeas—59

Amos	Keith
Baker	Kelt
Boyer	King
Bradbury	Langdon
Bridgers	London
Brown	Lucas
Cathey	Mann
Davis of Jasper	McConnell
Davisson	McKee
of Eastland	Moffett
Dean	Morse
Deglandon	Nicholson
Dickison	Patterson
England	of Travis
Farmer	Powell
Fuchs	Prescott
Graves	Quinn
Hankamer	Reader
Harbin	Reed of Dallas
Harris of Archer	Roark
Harris of Dickens	Settle
Heflin	Simpson
Holland	Smith
Howard	of Matagorda
Hyder	Smith of Tarrant
Jackson	Stinson
Johnson of Ellis	Tarwater
Johnson	Tennyson
of Tarrant	Thornberry
Jones of Falls	Winfree
Jones of Wise	Worley
Keefe	

Nays—69

Adkins	Dollins
Alexander	Fielden
Alsup	Fox
Beckworth	Gibson
Bell	Hamilton
Blankenship	Hanna
Boethel	Hardin
Bond	Harper
Burton	Harris of Dallas
Callan	Hartzog
Carssow	Herzik
Cauthorn	Hoskins
Celaya	Huddleston
Davis of Haskell	James
Davisson of Fisher	Jones of Angelina
Derden	Kenyon

Knetsch	Ragsdale
Lankford	Reed of Bowie
Lanning	Rhodes
Leath	Riddle
Leyendecker	Rutta
Loggins	Schuenemann
Mauritz	Shell
Mays	Skaggs
McCracken	Smith of Hopkins
McDonald	Stocks
McFarland	Talbert
McKinney	Tennant
Metcalfe	Thornton
Monkhouse	Vale
Morris	Walker
Oliver	Weldon
Palmer	Westbrook
Patterson of Mills	Wood
Petsch	

Absent

Cagle	Newton
Harrell	Pope
Leonard	Waggoner
Little	

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

MOTION TO PLACE HOUSE BILL
NO. 282 ON SECOND READING

Mr. Mays moved that the regular order of business be suspended, at this time, to take up and have placed on its second reading and its passage to engrossment,

H. B. No. 282, A bill to be entitled "An Act creating the Special Fifth District Court of Marion County and Cass County, Texas; prescribing its jurisdiction; limiting its existence; fixing its terms; providing for the appointment of a Judge thereof, fixing his compensation, making an appropriation for same, prescribing its powers and duties; providing for the transfer of certain cases from the Fifth Judicial Court and the Seventy-sixth Judicial Court to said Special Fifth District Court, and from said Special District Court to the Court of the Fifth Judicial District and to the Court of the Seventy-sixth Judicial District; providing for the appointment of an assistant district attorney to prosecute cases in said court, making an appropriation for his salary;

providing for the district clerks of Cass County and Marion County and their successors in office to be the clerks for the said Special Fifth District Court in their respective counties; providing a seal for said Special Fifth District Court; repealing all laws in conflict; providing that the provisions of this Act are severable, and declaring an emergency."

The motion was lost by the following vote:

Yeas—51

Beckworth	Kenyon
Bell	King
Blankenship	Leath
Boyer	London
Bridgers	Lucas
Callan	Mann
Cauthorn	Mays
Davis of Jasper	McKinney
Davisson	Metcalfe
of Eastland	Moffett
Dean	Morse
Derden	Oliver
Dollins	Patterson of Mills
Fielden	Patterson
Gibson	of Travis
Hankamer	Prescott
Hardin	Quinn
Harrell	Reader
Harris of Dallas	Smith
Hartzog	of Matagorda
Heflin	Smith of Tarrant
Hoskins	Stinson
James	Talbert
Johnson	Tennant
of Tarrant	Thornton
Jones of Angelina	Westbrook
Jones of Falls	Worley
Keith	

Nays—62

Adkins	Harper
Alexander	Harris of Archer
Alsup	Herzik
Amos	Holland
Baker	Howard
Boethel	Huddleston
Bond	Jackson
Bradbury	Johnson of Ellis
Brown	Jones of Wise
Burton	Keefe
Carssow	Kelt
Davis of Haskell	Knetsch
Davison of Fisher	Langdon
Deglandon	Lankford
Dickison	Lanning
Farmer	Leyendecker
Graves	Loggins
Hamilton	McConnell
Hanna	McCracken
Harbin	McDonald

McFarland	Schuenemann
Monkhouse	Simpson
Morris	Skaggs
Palmer	Smith of Hopkins
Petsch	Stocks
Powell	Tarwater
Reed of Bowie	Tennyson
Reed of Dallas	Thornberry
Rhodes	Walker
Roark	Weldon
Rutta	Wood

Present—Not Voting

Ragsdale	Shell
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Absent

Cagle	Mauritz
Cathey	McKee
Celaya	Newton
England	Nicholson
Fox	Pope
Fuchs	Riddle
Harris of Dickens	Settle
Hyder	Vale
Leonard	Waggoner
Little	Winfree

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

HOUSE BILL NO. 353 ON SECOND READING

On motion of Mr. Nicholson, the regular order of business was suspended, at this time, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 353, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue Fund of the State of Texas for the Live Stock Sanitary Commission for the balance of the fiscal year ending August 31, 1937, to cover the purchase of dip materials, marking paint salaries of inspectors, salaries of county supervisors, salaries of district supervisors, and traveling expenses, and declaring an emergency."

The Speaker then laid House Bill No. 353 before the House, and it was read second time.

Mr. Nicholson moved that further consideration of House Bill No. 353 be

postponed until 10:00 o'clock a. m., tomorrow.

The motion prevailed.

HOUSE BILL NO. 16 ON SECOND READING

On motion of Mr. Harris of Dallas, the regular order of business was suspended, at this time, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act to add new sections to be known as Section 6A, 8A, 8B, 8C, 9A, 9B, 9C, 16A, 16B, 16C, 16D, 19A, 19B, 19C, 19D, and 19E to, and to amend Sections 7, 15 and 17 of Senate Bill No. 15, Chapter 466, page 1785, of the General and Special Laws passed by the Second Called Session of the Forty-fourth Legislature, of the State of Texas, which Act relates to the examination of applicants for operators of chauffeur's license; providing for certain exemptions; providing for the issuance of restricted license; providing for notice of change of address or name; providing for records to be kept by the Department; providing authority of the Department to cancel license, suspend privileges of non-residents and report convictions and to suspend resident's license upon conviction in another State; providing for authority of Department to suspend or revoke license without preliminary hearing and providing for notice to licensee and for hearing upon request; etc., and declaring an emergency."

The Speaker then laid House Bill No. 16 before the House, and it was read second time.

Mr. Harris of Dallas offered the following committee amendment to the bill:

Amend House Bill No. 16, by striking out Section 6 and inserting in lieu thereof the following:

"Section 6. That Senate Bill No. 15, Chapter 466, passed at the Second Called Session of the Forty-fourth Legislature of the State of Texas, be amended by adding between Section 16 and Section 17 of said Chapter 466, new sections to be designated as Sections 16A, 16B, 16C and 16D to read, as follows:

"Section 16A. Authority of Department to suspend or revoke license.

(a) Before suspending the license of any person as in this section auth-

orized the Department shall provide for a hearing and immediately notify the licensee in writing and shall afford him an opportunity to attend the hearing as early as practical, such hearing to be set within not to exceed 20 days after receipt of such notices by the licensee. Such hearing shall be held in the county wherein the licensee resides unless the Department and the licensee agree that such hearing may be held in some other county. Upon such hearing the Department's duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the production of relevant books and papers and may require a re-examination of the licensee. Upon such hearing the Department shall either rescind its order of suspension or, good cause appearing therefor, may extend the suspension of such license or revoke such license.

(b) Upon such hearing the evidence having been heard and the records having been examined, the Department is authorized to suspend or revoke the license of an operator or chauffeur upon determining that the licensee:

1. Has been charged with an offense for which mandatory revocation of license is required upon conviction;
2. Has been involved as a driver in any accident resulting in the death or personal injury of another or serious property damage;
3. Is an habitually reckless or negligent driver of a motor vehicle;
4. Is an habitual violator of the traffic law;
5. Is incompetent to drive a motor vehicle;
6. Has permitted an unlawful or fraudulent use of such license; or
7. Has committed an offense in another State which if committed in this State would be grounds for suspension or revocation."

Mr. Hankamer offered the following amendment to the committee amendment:

Amend committee amendment to House Bill No. 16, by striking out all of lines 10, 11 and 12, page 10, and inserting in lieu thereof the following:

"2. Has been responsible as a driver for any accident resulting in the death or personal injury of another or serious property damage."

The amendment was adopted.

The committee amendment, as amended, was then adopted.

Mr. Walker offered the following amendment to the bill:

Amend House Bill No. 16, by striking out Section 2 on pages 2 and 3 of said bill.

Mr. Harris of Dallas moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Alexander	McFarland
Alsup	Keith
Baker	Leonard
Bell	Little
Blankenship	Loggins
Boethel	London
Bond	Lucas
Boyer	Mann
Bradbury	Mays
Bridgers	McCracken
Burton	Metcalfe
Cagle	Moffett
Carssow	Monkhouse
Celaya	Morris
Davison of Fisher	Morse
Davison	Nicholson
of Eastland	Patterson
Dickison	of Travis
Dollins	Petsch
Fox	Quinn
Graves	Ragsdale
Hamilton	Reader
Hankamer	Reed of Dallas
Hanna	Riddle
Harrell	Schuenemann
Harris of Archer	Settle
Harris of Dallas	Shell
Hartzog	Smith of Hopkins
Heflin	Smith
Hoskins	of Matagorda
Howard	Smith of Tarrant
Hyder	Stinson
Johnson of Ellis	Talbert
Johnson	Tennant
of Tarrant	Thornberry
Jones of Angelina	Thornton
Jones of Falls	Vale
Jones of Wise	Waggoner
Keefe	Weldon
McDonald	Winfree

Nays—43

Adkins	Deglandon
Beckworth	Derden
Callan	Farmer
Cathey	Fielden
Davis of Jasper	Gibson
Dean	Hardin

Harris of Dickens	Palmer
Herzik	Patterson of Mills
Holland	Powell
Huddleston	Prescott
Jackson	Reed of Bowie
James	Rhodes
Kelt	Roark
Kenyon	Rutta
King	Simpson
Knetsch	Skaggs
Lankford	Stocks
Leath	Walker
Leyendecker	Westbrook
McConnell	Wood
McKinney	Worley
Oliver	

Absent

Amos	Langdon
Brown	Lanning
Cauthorn	Mauritz
Davis of Haskell	McKee
England	Newton
Fuchs	Pope
Harbin	Tarwater
Harper	Tennyson

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

Mr. Thornton moved the previous question on the passage of House Bill No. 16 to engrossment, and the main question was ordered.

House Bill No. 16 was then passed to engrossment.

Mr. Harris of Dallas moved to reconsider the vote by which House Bill No. 16 was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

MOTIONS TO TAKE UP HOUSE BILL NO. 16

Mr. Harris of Dallas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 16 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—95

Alexander	Amos
Alsop	Baker

Beckworth	Knetsch
Bell	Langdon
Blankenship	Lankford
Boethel	Leath
Bond	Leonard
Boyer	Leyendecker
Bradbury	Little
Bridgers	Loggins
Burton	London
Cagle	Mann
Callan	Mauritz
Carssow	Mays
Cauthorn	McCracken
Celaya	McDonald
Davis of Haskell	McFarland
Davison of Fisher	Metcalfe
Davison	Moffett
of Eastland	Monkhouse
Derden	Morris
Dickison	Morse
Dollins	Nicholson
England	Palmer
Fielden	Patterson
Fox	of Travis
Graves	Petsch
Hamilton	Quinn
Hankamer	Reader
Hanna	Reed of Dallas
Harbin	Riddle
Harrell	Rutta
Harris of Archer	Schuenemann
Harris of Dallas	Settle
Hartzog	Shell
Heflin	Smith
Hoskins	of Matagorda
Howard	Smith of Tarrant
Huddleston	Stinson
Hyder	Stocks
Jackson	Talbert
James	Tennant
Johnson of Ellis	Tennyson
Johnson	Thornberry
of Tarrant	Thornton
Jones of Angelina	Vale
Jones of Falls	Waggoner
Jones of Wise	Weldon
Keith	Winfree
Kenyon	

Nays—28

Adkins	Oliver
Cathey	Patterson of Mills
Davis of Jasper	Powell
Deglandon	Prescott
Farmer	Reed of Bowie
Gibson	Rhodes
Harris of Dickens	Roark
Holland	Simpson
Keefe	Skaggs
Kelt	Tarwater
King	Walker
Lucas	Westbrook
McConnell	Wood
McKinney	Worley

Absent

Brown	Lanning
Dean	McKee
Fuchs	Newton
Hardin	Pope
Harper	Ragsdale
Herzik	Smith of Hopkins

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

Mr. Harris of Dallas moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 16 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—85

Alexander	Johnson of Ellis
Alsup	Johnson
Amos	of Tarrant
Baker	Jones of Angelina
Blankenship	Jones of Falls
Boethel	Jones of Wise
Bond	Keith
Boyer	Kenyon
Bradbury	Knetsch
Bridgers	Langdon
Burton	Leath
Cagle	Leonard
Callan	Leyendecker
Carssow	Little
Celaya	Loggins
Davisson	London
of Eastland	Mann
Dickison	Mauritz
Dollins	Mays
England	McCracken
Fielden	McDonald
Fox	McFarland
Fuchs	McKee
Hamilton	Metcalf
Hankamer	Moffett
Hanna	Monkhouse
Harris of Archer	Morris
Harris of Dallas	Morse
Hartzog	Nicholson
Heflin	Palmer
Hoskins	Patterson
Howard	of Travis
Huddleston	Quinn
Hyder	Ragsdale
Jackson	Reader

Reed of Dallas	Talbert
Rutta	Tennant
Schuenemann	Tennyson
Settle	Thornberry
Shell	Thornton
Smith of Hopkins	Vale
Smith	Waggoner
of Matagorda	Weldon
Smith of Tarrant	Winfree
Stinson	

Nays—43

Adkins	Lanning
Beckworth	Lucas
Bell	McConnell
Cathey	McKinney
Davis of Haskell	Oliver
Davis of Jasper	Patterson of Mills
Dean	Petsch
Deglandon	Powell
Derden	Prescott
Farmer	Reed of Bowie
Gibson	Rhodes
Graves	Riddle
Harbin	Roark
Harper	Simpson
Harrell	Skaggs
Harris of Dickens	Stocks
Holland	Tarwater
James	Walker
Keefe	Westbrook
Kelt	Wood
King	Worley
Lankford	

Absent

Brown	Herzik
Cauthorn	Newton
Davison of Fisher	Pope
Hardin	

Absent—Excused

Bates	Jones of Atascosa
Bradford	Kern
Broadfoot	Ross
Cleveland	Russell
Colquitt	Sewell
Felty	Sharpe
Hull	Stevenson

HOUSE BILL NO. 321 ON SECOND READING

On motion of Mr. Lankford, the regular order of business was suspended, at this time, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 321, A bill to be entitled "An Act amending Chapter 141, Acts, Fortieth Legislature, Regular Session, as amended by Chapter 246, Acts, Forty-second Legislature, Regular Session, creating the Office of the Veterans' State Service Office attached to

the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority and duties of such officers; fixing and authorizing payment of their salaries, travel and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; and repealing all laws and parts of laws in conflict therewith."

The Speaker then laid House Bill No. 321 before the House, and it was read second time.

Question—Shall House Bill No. 321 pass to engrossment?

EXPRESSING APPRECIATION TO MEMBERS OF THE HOUSE

THE SENATE OF THE STATE OF TEXAS AUSTIN

February 4th., 1937.

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives, Austin, Texas

My Dear Mrs. Phinney:

Will you please convey to the House of Representatives on behalf of myself and the members of my family our most sincere appreciation for the message of sympathy expressed in House Simple Resolution No. 68, as well as the beautiful floral offering.

Sincerely yours,

JOE L. HILL.

ADDITIONAL QUESTIONNAIRE FILED

- (1) W. B. Carssow.
San Antonio, Texas.
Representative of District No. 78-2.
- (2) Lawyer.
- (3) None.

(Signed) W. B. CARSSOW.

Sworn and subscribed to this the 22nd day of February, 1937.

(Seal)

ADELE JACOBS,
Notary Public, Travis County.

ADJOURNMENT

Mr. Quinn moved that the House recess to 2:00 o'clock p. m., today.

Mr. Alexander moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Alexander, it prevailed, and the House, accordingly, at 12:10 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Counties: House Bills Nos. 250, 411, 473, 568 and 569.

Oil, Gas and Mining: House Bill No. 514.

Privileges, Suffrage and Elections: House Bill No. 399.

Revenue and Taxation: House Bill No. 63.

State Eleemosynary and Reformatory Institutions: House Bill No. 525.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 19, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 432, A bill to be entitled "An Act amending Article I of Acts, 1935, Forty-fourth Legislature, Second Called Session, page 1795, Chapter 467, known as the Texas Liquor Control Act, by adding thereto a new section to be known as Section 50; authorizing search warrant to issue for the purpose of searching for and seizing and disposing of intoxicating liquors under certain circumstances and prescribing the rules relative thereto, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

TWENTY-FIFTH DAY

(Tuesday, February 23, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Calvert.

The roll of the House was called and the following Members were present:

Mr. Speaker	Alexander
Adkins	Alsup